

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION

The Kroger Co.,

Plaintiff,

v.

Case No. 1:16cv693

Visa, Inc.,

Judge Michael R. Barrett

Defendant.

CALENDAR ORDER

Pursuant to the filing of the Rule 26(f) Report by the parties and the scheduling conference conducted October 5, 2016, this case shall proceed as follows:

1. Telephone Status Conference¹: **February 28, 2017 at 1:30 pm**
2. Deadline for disclosure of expert witnesses and submission of expert reports²:
Plaintiff disclosure and report of experts: **August 31, 2017**
Defendant disclosure and report of experts: **October 6, 2017**
Disclosure and report of rebuttal experts: **November 6, 2017**
Disclosure of non-expert (fact) witnesses: **X**
3. Discovery to be completed by³: **November 22, 2017**
4. Telephone Status Conference⁴: **November 29, 2017 at 1:30 pm**
5. Dispositive motion deadline⁵: **December 21, 2017**
Responses due in 50 days
Replies due in 30 days

¹Parties shall refer to Document [20] Notice of Telephone Conference for conferencing instructions.

²Disclosure of Experts, Expert reports, and non-expert (fact) witnesses are not required to be filed with the Court.

³Counsel shall not presume that a pending motion stays their obligation to complete discovery by this date.

⁴Parties shall refer to Document [20] Notice of Telephone Conference for conferencing instructions.

⁵Counsel shall familiarize themselves with the Court's Standing Orders and S.D. Ohio Civ. R. The Court will not read beyond 20 pages unless leave has been previously sought and granted. This Court requires courtesy copies of all substantive motions be delivered to chambers upon filing.

6. Settlement Conference⁶: **February 8, 2017 at 1:30 pm, Room 239**
7. Joint Final Pretrial Order/Jury Instructions: **Submitted to the Court one week prior to the final pretrial conference**
8. Final pretrial conference: **March 30, 2018 at 1:30 pm, Room 239**
9. Jury Trial: **May, 2018, Courtroom 109**

IT IS SO ORDERED.

s/Michael R. Barrett
Michael R. Barrett
United States District Judge

⁶Special Instructions regarding settlement: 1. All parties must bring their client or a representative with full settlement authority. Failure to follow this requirement will result in sanctions; 2. Each counsel must prepare and submit via hand delivery to the Court or via the chamber's email address at: barrett_chambers@ohsd.uscourts.gov a letter no longer than five pages one week prior to the conference a synopsis of the case and the status of any settlement negotiations to date. These letters **NEED NOT** be filed with the Clerk's Office nor exchanged with opposing counsel.